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## HOUSING REGULATIONS — THEIR ADMINISTRATION AND ENFORCEMENT

*What are the purposes of housing regulations? What city government agency is best suited to enforce housing regulations? What are the procedures for administration and enforcement of housing regulations?*

This report is concerned with housing regulations: regulations that affect *existing* housing, not new construction. Some 17 per cent of the cities over 10,000 population have housing regulations applicable to existing housing. Small number? Not when considered in light of a growth from 79 cities in 1956 to at least 229 cities in 1960. Equally significant, 68 cities with housing standards in 1956 have revised their regulations in the four-year interim.

The adoption by cities of standards controlling heat, light, sanitation, and upkeep has largely resulted from a mounting demand, awareness, and need to rid cities of slums, stop blight, and improve living conditions. These regulations affect owner-occupant, renter, and landlord where it is felt most — in the pocketbook. These standards, being relatively new, have caused administrative headaches; the ways to cure the headaches vary and are still in the development stage.

The aim of this report is fourfold: (1) to describe briefly the purpose and content of housing regulations; (2) to discuss approaches to enforcement organization; (3) to present techniques used in enforcement; and (4) to highlight special problems encountered in administering housing regulations.

The information for this report was largely obtained from the *1960 Municipal Year Book* (pages 318-328) and from detailed answers to a questionnaire sent to 20 cities: Cincinnati and Dayton, Ohio; Pasadena, Oakland, and Stockton, California; Des Moines, Iowa; Hartford and New Haven, Connecticut; Dallas, Texas; Charlotte, North Carolina; Bangor and Portland, Maine; West Palm Beach, Florida; Evanston, Illinois; Rochester, New York; Norfolk, Virginia; and Kalamazoo, Jackson, Saginaw, and Wayne, Michigan.

### Background of Housing Regulations

The awareness, need, and demand to fight blight in cities resulted in the federal Housing Act of 1954, the basic legislation for current urban renewal activity. The act established federal grants to cities for the redevelopment of slum areas. To qualify a city has to develop a "workable program" that includes the requirement that cities participating have housing standards. Over 50 per cent of all cities having housing regulations, also have urban renewal programs in conformity with federal standards.<sup>1</sup>

Housing standards were used by some cities prior to 1954, but it was not until this time that

<sup>1</sup> The requirements of the federal program are (1) adequate codes covering minimum housing standards, (2) a general plan for the community, (3) identification of areas of bad housing and a plan to remedy such conditions, (4) an organization for enforcing the codes, (5) provision for funds to handle increased activity in enforcement and planning, (6) a program to relocate persons displaced by redevelopment and (7) evidence of community understanding and participation in the urban renewal program.



major efforts were made to apply housing standards to existing dwellings. Housing standards were first recognized in "limited additions" in the early 1900 tenement house acts. Also on the books of many cities were ordinances providing for the removal of unsafe structures. Enforcement of such acts was haphazard, and it was not until 1945 that serious thought was given to the problem of housing standards, not only for multiple dwellings but for single-family homes and the environment surrounding dwellings.

In 1945 the American Public Health Association's Committee on the Hygiene of Housing published its *Appraisal Method for Measuring the Quality of Housing: A Yard Stick for Health Officers, Housing Officials, and Planners*. In the foreword of this report the committee stated: "It [the Committee] has devised a technique for inspecting and evaluating the health qualities of housing which is simple and objective. It has developed a system of recording and evaluating the results which gives a rating of each dwelling in each area, expressing these health qualities in quantitative terms. Appraisal of the environment of the dwelling as well as the dwelling itself is stressed — a new emphasis in housing surveys and one of primary importance." This report is still basic in evaluating housing for urban renewal programs and in developing standards for existing housing.

The first major attempt to enforce housing standards was made by Baltimore in 1936. This early start eventually led to what has been known as the "Baltimore Plan." A young social worker, Francis Morton, compiled a detailed and graphic report on conditions in one of the worst of the city's slums. Resulting publicity led to an order by the health commissioner to demolish a block of slum houses as unfit for human habitation. At the end of World War II the city had crystalized a plan that called for the enforcement of all housing laws that were on the books and to compel owners of slum property to vacate them or rehabilitate them to living standards. In 1947 a separate local court was established to handle all violations of housing standards. From 1951 to 1953 a pilot area in Baltimore was selected for a rehabilitation trial through the enforcement of standards.

Results proved encouraging, but the problems encountered demonstrated housing regulation alone could not conquer blight. The "Baltimore Plan" highlighted two problems: rebuilding of blighted areas and stopping the growth of blighted areas. For a discussion of the Baltimore pilot area, see Martin Millspaugh and Gurney Breckenfeld, *The Human Side of Urban Renewal* (Baltimore: Fight Blight, Inc., 1958), pp. 3-65.

### What Are Housing Regulations?

Housing regulations apply to existing housing. Standards are set to insure that dwelling units are safe and healthy places in which to live. Housing standards are minimal, being generally less restrictive than regulations covering new construction. Most cities having standards enforce them against all types of dwellings: one-family, two-family, multifamily, and rooming houses and hotels.

### Purpose of Housing Regulations

The "Baltimore Plan," as indicated above, was born with the idea of fighting slums. But it was soon realized that such standards would not accomplish the goal by themselves. The blighted area is not caused alone by poor, dilapidated dwellings, but a combination of factors. Other causes are overcrowding of land; lack of air and open spaces; congested streets; inadequate and poorly located schools; and commercial and industrial uses haphazardly mixed with residential dwellings. To conquer the slum, to prevent new slums, an all-out attack is needed. This attack is urban renewal, and its foundation is the 1954 Housing Act. (For a discussion of urban renewal see MIS Report 183, *The Role of the City Government in Urban Renewal*, April, 1959.)

Housing regulations are geared to the dwelling and generally stop at the property line. The immediate result of enforced standards is safe and healthy living standards. Housing regulations then are basically one tool, (1) to help prevent slums, and (2) to aid in rehabilitating near-blighted areas.

### Types of Regulatory Codes

Regulations affecting housing can be found in a variety of city codes and ordinances, but urban



renewal has accentuated the separate housing code. The *1960 Municipal Year Book* shows that 152 of 229 cities reporting have a separate housing code. The remaining cities use building, health, or other codes or a combination of codes. The basic provisions of a housing code are discussed below, but first other codes that contain housing regulations will be mentioned.

Even when separate housing codes are used, provisions of other codes affect existing housing and often are used in conjunction with the housing code. Because the separate housing code cannot be considered by itself, provisions of housing codes should recognize requirements of related codes. This need for harmonizing standards of various codes is important from an administrative viewpoint. Repairs ordered under housing regulations must be done in conformity with other code provisions.

**Building Codes.** The purpose of most building codes is to insure that structures will be built, repaired, and altered in accordance with accepted standards for structural and fire safety. Building codes also frequently contain provisions as to building condemnation and demolition. In some cities standards affecting existing housing are placed in the building code instead of a separate code.

**Electrical Codes.** Electrical codes set forth standards for wiring homes, buildings, and factories to insure personal safety and to reduce fire hazards caused by poor installations.

**Plumbing Codes.** Standards are established to insure that water and sewage facilities and fixtures are installed in such a manner as to protect the occupants' health.

**Fire Codes.** The emphasis of a fire code is on all potential fire hazards. Regulation as to smoking in public buildings, and requiring extinguishers in certain locations in buildings are usually found in the fire code. Provisions concerning multiple-family housing also will be included for such items as exits and fire escapes.

**Sanitary Codes.** Sanitary codes cover a variety of subjects, such as food processing, milk production and processing, and restaurants. In relation to housing these codes establish regulations for garbage disposal and other health nuisances.

**Zoning Ordinances.** Zoning ordinances regulate the use of land, control height and bulk of buildings, establish area requirements for yards and other open spaces, and indirectly may even control population density. Zoning ordinances control existing housing by regulating nonconforming uses; assuring that new uses will not encroach upon old by establishing use districts; and maintaining standards for accessory use of land surrounding a dwelling.

**Condemnation and/or Demolition Codes.** A few cities have separate ordinances that establish powers and procedures for the condemnation and/or demolition of buildings. As indicated these provisions are most frequently placed in building codes and in a few cases in separate housing codes. The *Year Book* survey showed that 54 cities out of the 229 frequently use a special demolition ordinance in conjunction with housing regulation enforcement.

**Rooming House Ordinances.** Some cities have enacted special ordinances, in conjunction with the housing code, providing special regulations for rooming houses. Such ordinances usually require that all persons renting rooms to two, three, or more persons shall obtain a license. Before the license is issued a thorough inspection of the premises is made to assure conformity with all housing regulations.

### Separate Housing Code

The separate housing code contains regulations concerning existing housing. It brings together and enlarges upon those regulations that formerly were contained in the codes mentioned above or not required at all. True, some cities have been able to strengthen existing building, electrical, plumbing, and zoning codes to form a set of effective housing regulations. In most cities, however, the separate housing code fills a void.

Provisions regulating existing housing, whether in a separate housing code, building code, or combination of codes, should accomplish three objectives: (1) establishment of minimum standards that *all* housing must meet; (2) designation of enforcement responsibility; and (3) provision for administrative procedures, remedies, and sanctions to correct violations. Objectives two and three



are the main emphasis of this report and are discussed below. A brief consideration of minimum standards is presented here.

The fully developed housing code establishes standards covering facilities, equipment, maintenance, and condition of occupancy. Provisions on equipment and facilities include lighting, ventilation, garbage, waste disposal, water supply, bathroom fixtures, and means of egress. Maintenance regulations cover the condition of heating equipment, walls, roofs, sanitary equipment, and so on. Regulations on occupancy are designed to prevent overcrowding. Figure 1 gives typical standards for these categories.

Cities adopting codes should recognize existing conditions. Several model codes are available as guides, but in few cases can models be adopted without modification. Standards should be realistic, based neither on the rock-bottom dwelling nor on the above-average dwelling (see Appendix A for list of model codes). Hartford, Connecticut, differentiates by age of buildings with respect to bathroom facilities and recognizes different building standards in the community at different time periods.

A number of codes regulating existing housing contain provisions on responsibilities of owners and tenants. Such provisions clearly define that the owner must meet the standards set and the tenant shall exercise reasonable care in the use of the dwelling and shall be responsible for housekeeping functions. Tenants are usually held responsible for cleanliness of their dwelling unit; removal of refuse; hanging screens and storm windows where required except if the owner has agreed to provide this service; extermination of insects and pests where his dwelling unit is the only one affected; and the cleanliness of plumbing fixtures and proper care in the use of such fixtures.

#### Application of Housing Regulations

Blight has three major fronts. First, the resources of the community must be brought to bear against the areas that are "far gone;" the areas that little if anything can be done except to rebuild them. In these areas, mostly located in the larger cities, housing regulations are an ineffective weapon. This is the area calling for the demolition of the old and construction of the new. The term *redevelopment* denotes this front.

Second, there are sections of cities that are good and bad. The mixture is composed of a few standard dwellings, a number of substandard but not hopeless dwellings, and a few structures that are hopeless. The area lacks adequate public facilities such as parks, is marked by a high degree of overcrowding, and land uses are heterogeneous and frequently detrimental to one another. The area is capable of rehabilitation. Housing regulations are used to raise substandard dwellings to minimum standards. But an over-all plan to remove detrimental land uses and provide adequate public facilities is needed. The housing code must be applied in conformity with the over-all plan. The emphasis is on *rehabilitation*.

The third front involves neighborhoods that are basically good, but signs of blight are beginning. Overcrowding begins to appear and some dwellings are substandard and others are on the borderline. Housing regulations are the major weapon in preventing slums in this type of area. The emphasis is on *conservation*.

These distinctions will be noted throughout this report.

#### Organization for Enforcement

Responsibility for administration of housing standards has been assigned by the majority of cities to the building inspector's office, city engineer, or similar division closely related to traditional building inspection. A number of cities assign the function to the health department. Still other cities use a separate housing or urban renewal department, and a few cities have other organizational patterns. The 1960 Year Book survey and the detailed follow-up for this report show five distinct patterns.



### Facilities and Equipment

1. Every dwelling unit shall contain a kitchen sink in good working condition and properly connected to a water and sewer system approved by the director of health.
2. Every dwelling shall have supplied; or every dwelling unit shall have provisions made for the installation of: water heating facilities which are properly installed, are maintained in safe and good working condition, are properly connected with the hot water lines . . . and are capable of heating water to such a temperature as to permit an adequate amount of water to be drawn at every required kitchen sink, lavatory basin, bathtub or shower at a temperature of not less than 120°F. . . .
3. Every habitable room shall have at least one window or skylight facing directly to the outdoors. The minimum total window area measured between stops, for every habitable room shall be at least 1/8 of the floor area of such room. Whenever walls or other portions of structures face a window of any such room and such light obstruction structures are located less than three feet from the window and extend to a level above that of the ceiling of the room, such a window shall not be deemed to face directly to the outdoors. . . .

### Maintenance Standards

4. Every foundation, floor, wall, ceiling, and roof, shall be reasonably weather-tight, and rodent-proof; shall be capable of affording privacy; and shall be kept in good repair.
5. Every window, exterior door, and basement hatchway shall be reasonably weather-tight, and rodent-proof; and shall be kept in sound working condition and good repair.
6. No owner shall occupy or let to any other occupant any vacant dwelling unit unless it is clean, sanitary, and fit for human occupancy.

### Occupancy Standards

7. In every dwelling unit of two or more rooms, every room occupied for sleeping purposes by one occupant shall contain at least 70 square feet of floor space, and every room occupied for sleeping purposes by more than one occupant shall contain at least 50 square feet of floor space for each occupant thereof.
8. No dwelling or dwelling unit containing two or more sleeping rooms shall have such arrangements that access to a bathroom or water closet compartment, intended for use by occupants of more than one sleeping room, can be had only by going through another sleeping room; nor shall room arrangements be such that access to a sleeping room can be had only by going through another sleeping room or a bathroom or water closet compartment.

Source: *Housing Code*, City of Hartford, Connecticut, effective July 12, 1956, amended to March, 1959, pp. 7-13.

Figure 1 — Excerpts from Hartford Housing Code



### Patterns of Organization

In discussing organizational patterns a distinction between department, division, and section should be made. The surveys attempted to ascertain what department and division the function of housing regulations was assigned to. To clarify the discussion the following definitions are used in this report, even though a particular city may designate a level differently.

1. Department means a major segment of municipal government. A department head reports to the city manager, mayor, or independent administrative board.
2. Division means the second level or segment of the government. A division head reports to the department head.
3. Section means the third level or segment of city government. A section leader reports to the division head.

**Building Department.** The traditional building department has been concerned with new construction. It may or may not have responsibility for electrical or plumbing inspection. The department's traditional functions have been (1) issuance of building permits, (2) plan approval, (3) zoning code enforcement, and (4) inspection of the work.

Housing standards are placed in the building department by a number of cities because it seems natural. Personnel are already engaged in inspectional activity in the housing field. Alteration and major repairs to existing dwellings come under the building code. As Cincinnati states: "Enforcement of the housing code has been traditional with the Department of Safety, Division of Buildings for more years than anyone can remember. As a matter of fact we have no housing code as such but provisions of the Building Code which are applicable to existing dwellings are a part of our building code." Out of the 20 cities surveyed for this report five assign housing regulation enforcement to the building department or division: Cincinnati, Ohio; Charlotte, North Carolina; and Wayne, Saginaw, and Kalamazoo, Michigan.

Internal organization varies, depending largely upon the size of the city. Cincinnati has a separate section of "housing" within the building division of the department of safety. The section has 39 full-time employees, 30 of whom are inspectors. Saginaw has a division of permits and inspection within the engineering department. No special section for housing exists, but two inspectors out of eight are assigned full time to housing inspection. Kalamazoo has a department of building with 15 full-time employees, two of whom work full time on housing.

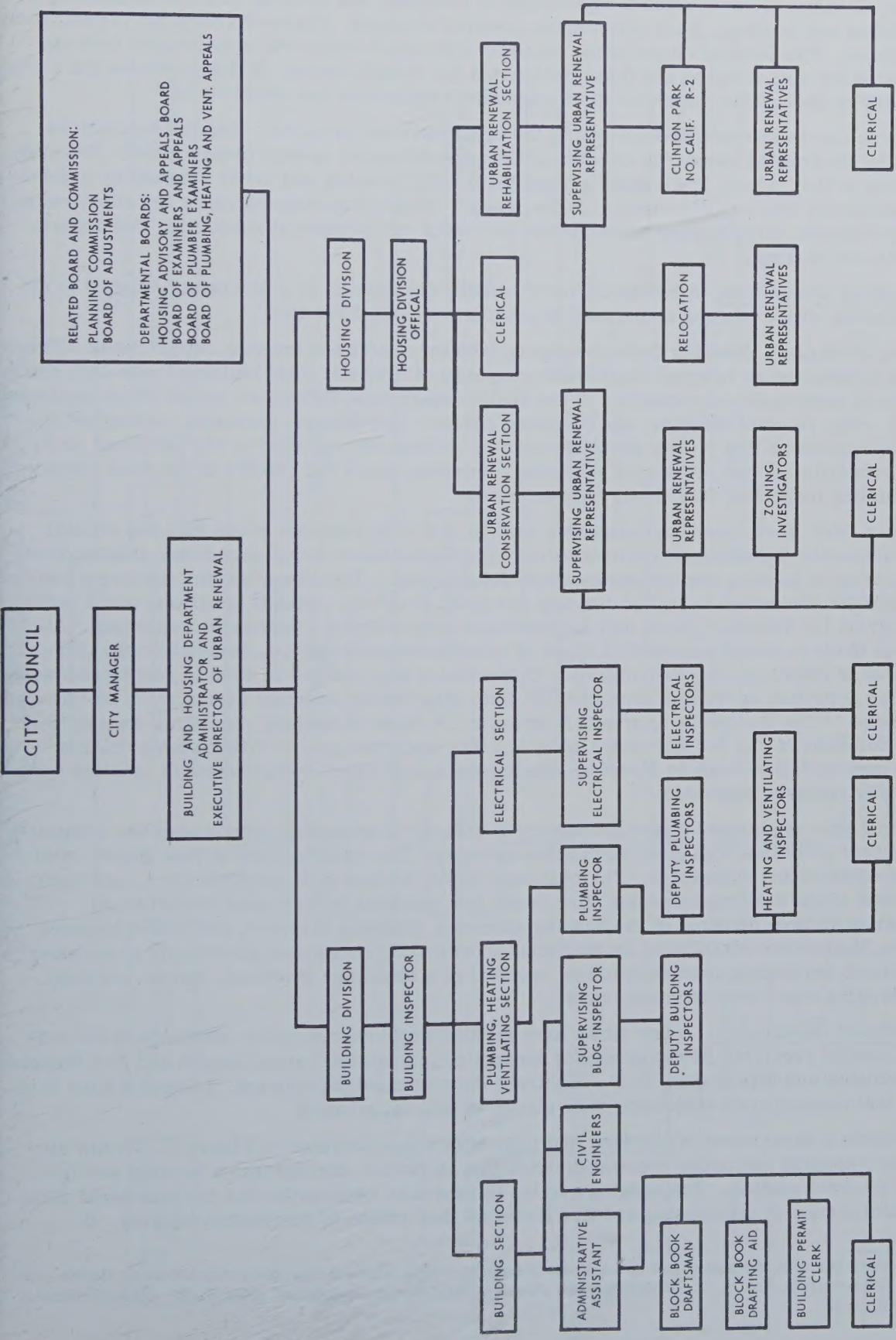
**Health.** The health department in a number of cities is charged with housing inspection. Health personnel traditionally have been involved in housing regulation from the environmental standpoint: garbage, rodent control, and other regulations controlling communicable diseases. Internal organization differs. The *Year Book* survey showed that 11 health departments operate a separate section for administering housing regulations. In some 22 other departments it appears that the function is assigned to a division such as sanitation.

Evanston, Illinois, has a housing division within its health department. A superintendent of housing is directly responsible for enforcement. Three inspectors are assigned to the division. The superintendent has other duties such as public health educator and rodent control supervisor. He spends 30 to 40 per cent of his time on housing problems. His three inspectors also work on the rodent control program.

Norfolk, Virginia, assigns the function to the environmental and food sanitation division of the health department but has assigned two full-time inspectors to housing. Referrals of specific health nuisances related to housing are often made to the environmental sanitarian within a particular district of the city.

**Housing Department.** Two cities illustrate a move toward the department of housing or urban renewal. The first is Oakland, California, which has an integrated department with the function of preventing slums and fighting blight upon all three fronts described above — redevelopment, rehabilitation, and conservation. The second city, New Haven, Connecticut, has a group of departments under the direction of a development administrator reporting to the mayor.





Source: *Annual Report*, Building and Housing Department, Oakland, California, June 30, 1960.

Figure 2 – Organizational Chart, Oakland, California, Building and Housing Department



Oakland, California, has created a department of buildings and housing with two major divisions for building and housing. Each division has several sections. Figure 2 shows the organization of the department. The Oakland organization makes a distinction within the organization between areas designated for conservation and those designated for rehabilitation. It thus provides for a concentrated attack on both of the major fronts that housing regulations are effective in.

New Haven has an interesting approach to the organizational problem. Housing regulations are enforced by the housing standards division of the redevelopment agency (department). However, this department is tied closely to all other groups involved in housing and urban renewal by a development administrator who reports directly to the mayor. Major departments under the administrator are redevelopment, city planning commission, bureau of environmental sanitation, and department of traffic and parking.

Coordinating Committee. Administration of housing regulations is sometimes assigned to different departments with a housing committee to provide over-all direction.

Jackson, Michigan's, Housing Code designates both the health and building departments. The city manager established an internal committee composed of himself; chief building inspector, chief of the division of environmental sanitation of the health department; fire chief; police chief; assistant city attorney; urban renewal director; and licensing officer. The housing problems committee considers housing conditions that violate any city codes or ordinances reported by its members or by citizens. Appropriate notices are issued after the committee hears the results of the field inspection by the building inspector, fire chief, and sanitarian.

Rochester, New York, uses the committee system, but it is a citizen group with the official name of the Rochester Rehabilitation Commission. The Commission helps coordinate enforcement and administration of housing regulations by other departments. The Commission operates a central record system (described below) on housing and carries out the renewal programs and a public relations program for voluntary home and neighborhood improvement. Rochester reported: "Although several bureaus undertake specific types of housing inspections, i.e., Health Bureau, Fire Bureau, Bureau of Buildings, the Rehabilitation Commission was created in 1955 to supplement and round out these activities as well as providing the first step toward eventual centralizing of enforcement procedures." The Rochester approach is unusual. A study of housing regulation enforcement in New York commented that the Rochester approach was workable only in cities where existing departments have sufficient staff to divert to housing work, and where enforcement of existing codes has traditionally received emphasis.<sup>2</sup>

Cities that have designated a specific agency to enforce housing regulations also use committees to coordinate activities with other interested agencies. The housing code of New Haven establishes a code enforcement committee. The chairman is the development administrator, and membership consists of the building inspector, fire chief, fire marshal, police chief, director of environmental sanitation, director of the housing authority, planning director, and redevelopment director. Des Moines has established an unofficial coordinating committee principally to consider serious violations demanding condemnation or removal of a dwelling. Portland, Maine, has also used a coordinating committee for nine years.

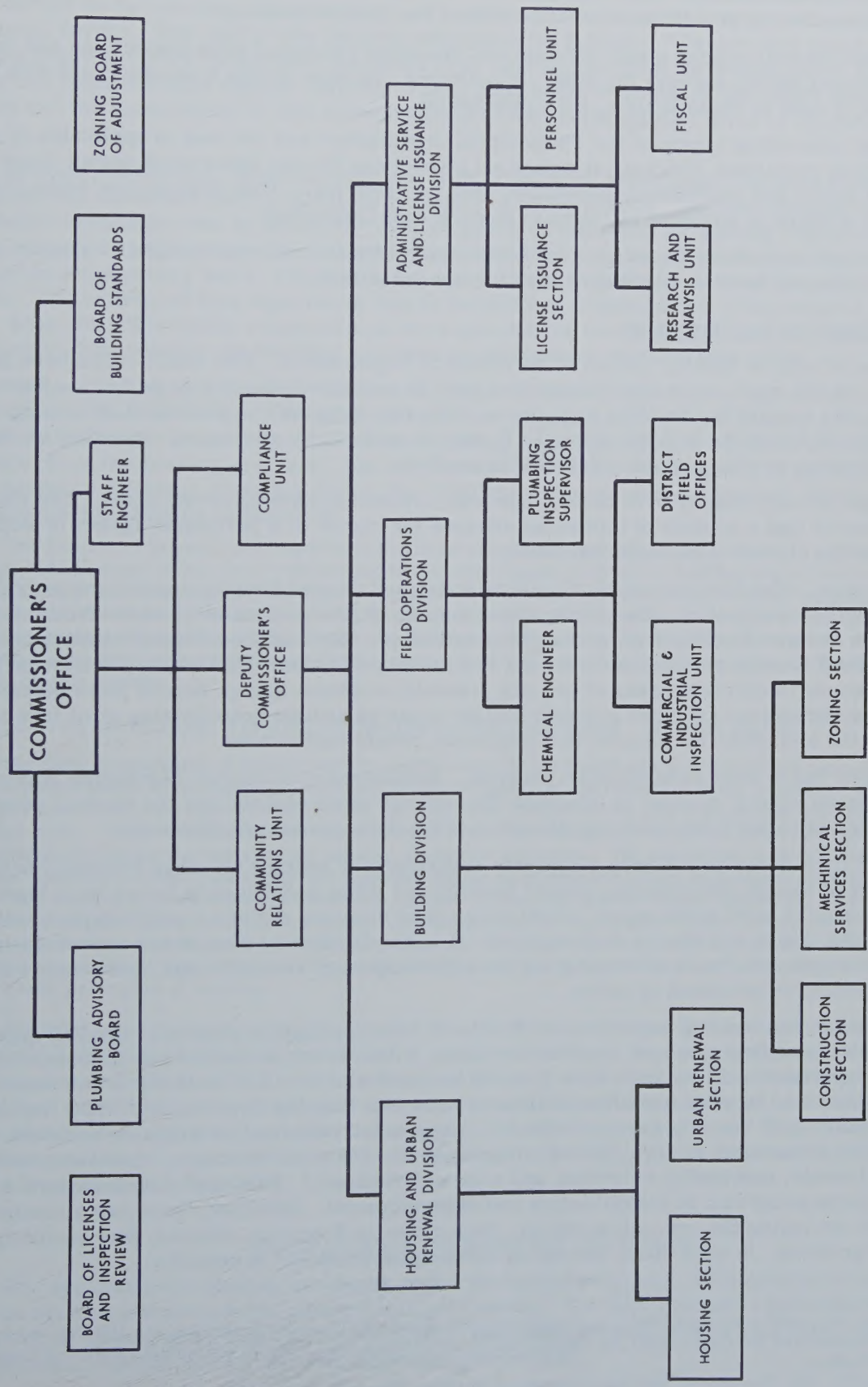
Consolidated Department. A few cities have created departments which administers the majority of ordinances requiring licensing and/or inspection, except for certain health and fire inspections. Philadelphia and Washington, D. C., illustrate the combined department. In such a case it is only natural that housing code enforcement be placed in this department.

Philadelphia's department of licenses and inspections is illustrated in Figure 3. Within the department is a housing and urban renewal division that is further divided into a housing section and an urban renewal section. The housing section is basically responsible for the functional direction of the enforcement of the housing and fire codes as they relate to residential housing. It

<sup>2</sup> New York State Division of Housing and Home Finance Agency, Urban Renewal Administration, *Housing Codes - the Key to Housing Conservation*, Vol. 1, "Code Enforcement Problems and Recommendations" (New York: State Division of Housing, undated), p. 39.



DEPARTMENT OF LICENSES AND INSPECTIONS



Source: Philadelphia Department of Licenses and Inspections, *About Your Department of Licenses and Inspections*, June, 1959, p. 10.

Figure 3 — Organization For Housing Enforcement Regulation, Philadelphia



further issues violation notices, approves multifamily dwelling units, issues rooming house licenses, and approves permits for construction or alteration of residential buildings.

The urban renewal section plans, directs, and evaluates results of area inspections and conducts neighborhood quality surveys for other departments. In other words it is concerned with those areas that are in need of rehabilitation, not conservation.

The most interesting aspect of the Philadelphia organization and one that is applicable to most cities is the field operations division. It makes all inspections for the department except those just prior to court action and specialized inspections such as electrical. This division has some 104 inspectors none of whom is assigned full time to housing code inspection.

A compliance unit of the department conducts administrative hearings to obtain voluntary compliance with codes and handles all prosecutions for the department.<sup>3</sup>

#### Reasons for Organization Variances

The smaller city is usually limited in its choice of organization. Few small cities have health departments. At the most, one sanitary inspector may be employed on a full or part-time basis. But the small city usually has building inspectors. This fact dictates the placement of housing regulation enforcement under the building official. It may or may not be necessary, depending on the extent of the housing problem, to add additional inspectors.

The larger cities, roughly over 50,000, however, frequently have alternate plans. The cities surveyed indicated that a number of influences effected the choice of a particular agency or department. None of the factors is mutually exclusive.

Coordination. The administration of housing codes and related housing regulations provides a large problem in coordination. One of the major results of good organization is the facilitation of coordination and avoiding duplication of related activities. Regulations affecting existing housing are not only found in separate housing codes but in a variety of codes. Further, application of these housing regulations in different areas of the city presents problems that go beyond mere enforcement. Housing regulations enforced in rehabilitation areas as against conservation must take into consideration the total over-all plan for that particular rehabilitation area.

New Haven has a large rehabilitation program. Enforcement of housing regulations was placed in the development agency in order to integrate this activity more closely into the renewal program of the city which is carried out under the direction of the development administrator.

Although most cities do not have a separate department of housing or urban renewal, there is a growing body of thought that insuring proper housing and living conditions is becoming a basic and continuing function of local government. Some cities have separate divisions within departments as noted above. But this is not what is contemplated. It is the Oakland or New Haven approach — a department that is concerned with administering the redevelopment, rehabilitation, and conservation programs including enforcement of codes.

On this point, the housing supervisor in Portland, Maine, stated in answer to the MIS questionnaire: "If we were setting up a new organization today, I doubt very much that the division would be in the health department. I feel quite sure it would be more closely allied with the urban renewal authority... the trend is away from Health Departments to a Housing Department." MIS Report 183 reported the thinking of one city manager who felt that greater coordination might be achieved if there was a city department of development comprising five technical divisions: redevelopment, planning, real estate, community relations, and code enforcement.<sup>4</sup> This approach has merit for cities facing large programs in rehabilitation and redevelopment. However, there are a number of cities that are not facing the over-all problem. Such cities as Evanston, Illinois, face basically a conservation problem. In such cities the use of existing departments is sensible.

<sup>3</sup> For further information on organization and administration of general licensing programs, see MIS Reports 94 and 95 issued in November and December, 1951, on *Administration of Licenses and Permits* and *Administration of Regulatory Inspectional Activities*.

<sup>4</sup> MIS Report No. 183, *The Role of the City Government In Urban Renewal*, April, 1959, p. 9.



Existing Organizations. Three cities expressed the importance of considering the activities now carried on by existing organizations, and whether or not an existing organization can accept an additional burden. The city of Des Moines commented as follows: "Twenty-five years ago when housing problems were recognized they were first approached from the standpoint of general sanitation and communicable disease control. These two phases were under the health department jurisdiction and the enforcement of any succeeding codes was automatically given to the health department."

Oakland, California, faced the problem of developing an organization because their health department was abolished and its functions transferred to the county. Oakland reported that initially the health department was to accept the responsibility of enforcing all housing regulations in all areas of the city except those designated for rehabilitation. An urban renewal department was formed on a temporary basis, the staff being composed of individuals on loan from various departments. The activity of this department was to be confined to designated urban renewal areas. However, soon after this initial organizational arrangement the health department was transferred to the county. Immediately the building and housing department began to take shape.

Trained Individuals Needed. Most of the cities surveyed gave this as one of the important considerations. Most cities that have adopted extensive regulations, utilized existing personnel for enforcement initially. Health departments and building departments have inspectors trained in different aspects of the housing problem. The selection of the health department and the building department by different cities highlights the complexity of regulations. Saginaw, Michigan, states the case for the building department:

The division of permits and inspections [building inspection], was the agency chosen to administer the housing code because of the close relationship of the enforcement problem to building maintenance. Since this agency already had responsibility for the enforcement of the electrical, plumbing, heating, building and zoning codes, it was felt that it could also assume the additional responsibility of the housing code and do a more adequate job than any other city agency. It was our feeling that the enforcement of the housing code was more concerned with the physical properties of structures than with the sanitation problems, although the two are obviously closely related.

In contrast Norfolk, Virginia, chose the health department. Norfolk stated:

The close relationship of housing and its environment to the health of its citizenry has caused the department of public health to be chosen as the administrative agency of the housing hygiene program. Techniques and objective evaluation methods were devised by the American Public Health Association after several years of thorough study. Their four-point basis of physiological and psychological needs, and protection against contagion and accident formulate the basis for all housing evaluation activities. The sanitarian is the trained professional with the tools and technical knowledge for approaching the problems and public relations of housing code enforcement. His training in environmental sanitation, such as rodent and typhus control measures, water and food borne infection and disease, etc., gives him a firm background for encompassing the environmental program into a housing rehabilitation program. Building departments generally are composed of engineers or skilled personnel who are concerned with structural aspects and with material of construction and generally lack the training of the health principles of housing.

Knowledge of Local Housing Situation. Several cities indicated that either the health department or building department personnel were familiar with local housing conditions. This was felt to be important because of the need to select and develop enforcement areas, basically these to be designated as rehabilitation and conservation areas. In Kalamazoo, Michigan, the building department possessed basic data that aided in the designation of the renewal area. Health departments that have traditionally been involved in enforcing sanitary codes against selected types of dwellings could also have this information.

#### Administrative Problems and Procedures

The application of housing standards requires careful planning. Administrative problems must be studied and procedures adopted that get results. The administrative problems and procedures can be broken down into four basic areas: coordination with related activities; personnel management; records and forms; and inspection procedures.



## Coordination

The problems of coordination have already been discussed in relationship to organization. But when a unified organization such as Oakland's does not exist, other measures are used to avoid conflicts in enforcing regulations. These are (1) single inspectors, (2) team inspectors, (3) referral notices, (4) a central record system, and (5) a "coordinator." The first two approaches are discussed below under "An Inspection Plan."

Referral Notices. Several cities have formal referral systems. This is necessary when housing agency officials do not have authority to enforce all housing regulations or regulations are contained in various codes. All major repairs ordered under regulations affecting existing housing usually must be done in conformity with the building, electrical, or plumbing code. Finally, inspectors enforcing housing regulations may discover repair and alteration work in progress which is being done without proper permits, or other inspectors may discover violations of housing regulations.

Portland, Maine's, procedure is designed to avoid an elaborate central records system, but it still keeps all agencies informed on common problems. A copy of all orders to property owners is sent to the building, electrical, plumbing, and fire department. This alerts these departments to conditions that may be of interest and eventually require their action.

Central Records System. Some cities have found it desirable to keep a central record on all dwellings inspected for any purpose. In most cases the agency enforcing housing regulation maintains the records.

The rehabilitation commission of Rochester has developed a central system that has functioned successfully. Such a system is important to Rochester since one agency is not responsible for the majority of housing regulations. The system, known as the Central Housing Index, provides information about previous inspections made on a particular piece of property after October 1, 1958. On all inspections or reinspections the inspector fills out a form in duplicate and transmits it to the rehabilitation commission as quickly as possible (see Figure 4). The form is so coded that all information is easily transferred to a central record. The duplicate copy is returned with the notation on its back of all previous inspections. Detailed information can be given to the inspector, if he desires, prior to making an inspection or by phone if in the field.

Coordinator. Dallas, Texas, has appointed two coordinators. The housing regulation program is divided into two major areas: Dallas West Revitalization Program and the remainder of the city. Each of these phases has a coordinator who controls the program but calls upon other city departments for services and actual enforcement as needed. The rehabilitation inspectors are in the rehabilitation section, building inspection division, public works department. There men are charged with enforcing the housing standards ordinance. The coordinator is charged with avoiding duplication and conflicts. Dallas likes this method because it avoids transferring authority to a new agency. The old agencies have the benefit of years of legal precedent in enforcing regulations.

Over-all Approach. Coordination is not obtained by the use of only one device. Most cities use one or more organizational or procedural methods to develop an over-all program. Kalamazoo, Michigan, listed the following procedure in handling all cases involving more than one department.

1. The department receiving a complaint, or by their own observation, will make a preliminary inspection.
2. If in the opinion of the inspector other departments are concerned, they will be notified and a joint inspection made.
3. Each department will indicate their requirements to the Department of Buildings, and corrective notice will be sent from the Department of Buildings incorporating all corrective orders in one letter.
4. Re-inspection will be made by the Department of Buildings.
5. In case corrective conditions, as required by other departments, are not being eliminated, that department will be notified and a re-inspection requested.
6. Each department will prosecute and enforce their own orders.
7. Where only one department is involved the above procedure will not be followed.
8. All inspection reports either individually or collectively are filed in a central file in the Department of Buildings office.



**Key For Coding Record Of Inspection Form****Why Initiated**

- |                             |                     |
|-----------------------------|---------------------|
| 1. Service Bureau Complaint | 3. Citizen Petition |
| 2. Routine Inspection       | 4. Other Complaint  |

**Type Of Structure**

- |                        |                              |
|------------------------|------------------------------|
| 1. Frame One Story     | 8. MRL Frame Two Story       |
| 2. Frame Two Story     | 9. MRL Frame Three Story     |
| 3. Frame Three Story   | 10. MRL Masonry One Story    |
| 4. Masonry One Story   | 11. MRL Masonry Two Story    |
| 5. Masonry Two Story   | 12. MRL Masonry Three Story  |
| 6. Masonry Three Story | 13. MRL Four Stories or Over |
| 7. MRL Frame One Story | 14. Attic 15—Cellar          |

**Reason For Condition**

- |                             |   |
|-----------------------------|---|
| 1. Owner Neglect            | 7. Extreme Age                          |
| 2. Owner Poor Housekeeping  | 8. Fire Damage                          |
| 3. Tenant Neglect           | 9. Storm Damage                         |
| 4. Tenant Damage            | 10. Very Costly To Repair               |
| 5. Tenant Poor Housekeeping | 11. Non-Repairable—Should Be Demolished |
| 6. Outside Vandalism        |   |

**Category Of Violations**

- |                                  |                                  |
|----------------------------------|----------------------------------|
| 1. Structural Inside             | 26. Garages                      |
| 2. Structural Outside            | 27. Grounds                      |
| 3. Access To Hallways            | 28. Gutters                      |
| 4. Adequate Toilet Facilities    | 29. Hall Doors—Self Closing      |
| 5. Ashes                         | 30. Heating Vent                 |
| 6. Automatic Heater Safety Valve | 31. Illegal Alterations          |
| 7. Basement Ceiling              | 32. Infestation                  |
| 8. Basement Floor                | 33. Light And Ventilation        |
| 9. Basement Occupancy            | 34. Obstruction To Firemen       |
| 10. Basement Waterproofing       | 35. Outside Covering Or Painting |
| 11. Cardboard Partitions         | 36. Outside Structural Hazard    |
| 12. Chimney                      | 37. Overcrowded                  |
| 13. Combustibles                 | 38. Plumbing                     |
| 14. Dampness                     | 39. Porches                      |
| 15. Decorating                   | 40. Refuse Containers            |
| 16. Downspouts                   | 41. Roof                         |
| 17. Exits                        | 42. Running Water                |
| 18. Extensions                   | 43. Sewer Covers                 |
| 19. Faulty Heating               | 44. Stair Enclosure              |
| 20. Fire Partition               | 45. Storm Sewer (Plumbing)       |
| 21. Fire Retardant               | 46. Third Floor Occupancy        |
| 22. Flexible Gas Tubing          | 47. Water Heater Vent            |
| 23. Fuel Storage                 | 48. Windows                      |
| 24. Fumes                        | 49. Wiring (Defective)           |
| 25. Fuses                        | 50. Other                        |

CR-1302

**Record of Inspection—Central Housing Index**

Clearance.....Submission.....

Address.....Ward.....

Owner.....Address.....

Agent.....Address.....

Date.....19.....Inspector.....

Dept. Initiating BB FB HB RRC Why Initiated 1 2 3 4

Owner Occupied.....No Central Heat.....

Type of Structure 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15

No. of D.U.'s. 1 2 3 4 5 6 7 8 9 10 11 12 13 (12 or over)

Rooming Units.....Business Units.....

Good.....Fair.....Poor.....Serious Hazard.....

Reason For Condition 1 2 3 4 5 6 7 8 9 10 11

Category of Violations 1 2 3 4 5 6 7 8 9 10 11 12

13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29

30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46

47 48 49 50.....

Additional Information and Violations:

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**Action Requested:**

- |                                   |            |
|-----------------------------------|------------|
| 1—Call Back.....                  | Date:..... |
| 2—NY Undw. Inspection.....        | Date:..... |
| 3—MRL Inspection.....             | Date:..... |
| 4—Appearance.....                 | Date:..... |
| 5—Summons Be Sent.....            | Date:..... |
| 6—Public Hearing.....             | Date:..... |
| 7—Ref. To Social Agency.....      | Date:..... |
| 8—Ref. To BB FB HB RRC.....       | Date:..... |
| 9—Index Comm. For Evaluation..... | Date:..... |
| 10—Other.....                     | Date:..... |

Figure 4 — Central Housing Index Form and Code Key, Rochester, New York



## Personnel

Qualifications of Inspectors. Experience and training of housing inspectors follows no definite pattern. Housing inspection requires knowledge of construction and environmental conditions affecting health. The housing inspector is in close contact with the public. He often requires people to spend money. Unlike the strict building inspector he must order changes on existing structures. Thus his ability as a salesman is important.

The experience and training a city requires tends to reflect whether such inspectors are assigned full time to housing inspection and whether the responsibility is assigned to the health, building, or other department. Where housing regulations are jointly enforced by several agencies, as in Rochester, each agency has its own qualifications. Building departments tend to want experience or training in construction, health departments in environmental sanitation.

A comparison of Saginaw's and Hartford's requirements illustrates this point. Saginaw requires, among other things, knowledge of building methods and materials and ability to interpret plans and specifications. Hartford classifies housing inspectors as public health sanitarians. Qualifications are high school graduation and experience in sanitation inspection.

All cities reporting, except those using several departments to enforce regulations, indicated a need to train inspectors in areas where they were deficient. Two cities reported that they were especially concerned with a man's salesmanship ability. Portland, Maine, reported:

When hiring an inspector, we look for a person who has had a high school education or better, who is resourceful, who has the ability to sell himself and the program, and who has traits of aggressiveness. It is quite obvious that we look for an extrovert. We are more concerned with the inspector's personality than his previous experience. We can train him to do the job but we cannot change his personality.

Oakland, California, reported that the urban renewal representative (inspector) must be a high school graduate and have five years increasingly responsible full-time experience, with two years in one of the following fields: urban renewal work; inspection or investigation experience in building, fire, electrical, heating, plumbing, zoning, or police; residential building construction; fire insurance adjustment; public health; real estate appraisal; or graduation from college with one year of experience in one of these fields.

An interview with the senior housing inspector of Evanston tends to support those cities favoring some experience in construction plus public relations ability. The senior inspector had been a sanitarian for a number of years prior to concentrating on housing. He felt that the housing inspector spent more time on structural standards than on other phases of the code. The inspector must be able not only to recognize a defect but also to explain it to a building owner. He felt that from a public relations viewpoint the inspector cannot say, "Well, the building inspector or engineer can explain this to you." He further supported the need for the ability to be able to sell improvements — obtain voluntary compliance — instead of resorting to legal means.

Training. The need for a training program is self-evident. The job requires knowledge and ability in several fields. A number of cities have developed training programs. Oakland gave a five-week course covering the objectives of urban renewal, procedures of enforcement, and a review of various codes. Appendix B is a condensed outline of the five-week course. Further, the city has inspectors attend courses offered by the extension division of the University of California on housing code enforcement.

Evanston has offered extensive training to its three inspectors. Initially the city had a formal program conducted one day a week for 10 weeks. Each city specialist involved in housing, such as the structural engineer, explained code provisions. The group took field trips so that the specialist might illustrate actual conditions discussed. This program will be repeated for new inspectors as they are hired; at the same time old inspectors will attend for a refresher course. The department also has sent a man to the American Public Health Association housing survey course conducted for one week at Southern Illinois University.

Baltimore announced on August 22, 1960, that the city health department, urban renewal and housing agency, and its bureau of buildings are cooperating in a 10-day review training program for



inspectors in one of the renewal areas. The course will cover plumbing and cross connections, nuisances, rat and vermin control, prevention of lead paint poisoning, planning a renewal project and its financing, housing inspection, household hazards, electrical inspection, fire prevention, tenant responsibilities, and community organization. Study tours of urban renewal areas and projects also are planned.

Any city contemplating a minimum standards housing program should prepare for the training of inspectors. Techniques to use are (1) talks by experienced department heads; (2) field trips; (3) use of short courses at universities, if available; and (4) assignment of new men to experienced inspectors for a period of several months. Cincinnati summed up the importance of training by stating: "We feel that our training of inspectors never ends and study of the building code and related subjects is a continuing process furnished by home study, monthly staff meetings, monthly examinations, and talks by leaders of outside organizations."

### Reports, Records, and Forms

The agency responsible for enforcing the housing regulations must develop a system of reports, records, and forms that will show the status of a particular dwelling, its past history, time for follow-up inspections, reports of inspectors, and notices and orders issued. The system also should yield internal management information as to the number and type of inspections made during a given period and the number and type of inspections made by a given inspector.

The complexity of a system naturally will vary with the size of a city and the scope of the program. An extensive study of Baltimore's system in 1956 illustrates over 50 records, reports, and forms.<sup>5</sup> The smaller city can build an adequate system around the following basic records:

**Master Dwelling Record.** This record contains all basic data about a building for purposes of housing control. The record should show a complete history of all actions taken and show also location, ownership, and agent responsible for the property, if any. The actual form of the record can be a printed folder and/or sheet of paper that summarizes actions.

Dallas uses a letter-size manila folder as its master record for each building. The front of the folder has printed spaces to record the following information: location, ownership, agent, tenants, date of inspections, actions taken, name of inspector, and explanatory remarks. Columns and spaces are printed on the inside of the folder for recording the following information: number of dwelling units and vacancies in building, type of construction, condition of major structural components, grading and drainage, sanitation features, and accessory buildings. The folder is used to hold all letters, notices, and reports pertaining to the building.

Rochester uses a card to summarize all action reported to the Central Housing Index already discussed. Evanston's inspection form is designed also to act as a master record (see next section on "Inspector's Reports").

**Inspector's Reports.** The inspector should have a basic form to complete on all structures and dwelling units inspected. The American Public Health Association has developed a three-part form to be used in conjunction with its recommended method of measuring the quality of housing. The first part, "Structure Schedule," shown in Appendix C, is used to record information about each separate residential building. The second part, "Dwelling Unit Schedule," shown in Appendix D, is used to record information about each dwelling unit within a structure. The third part, "Rooming Unit Schedule," not shown in the report, is similar to the "Dwelling Unit Schedule" except that it provides for recording the special characteristics of each unit in a rooming house. Hartford uses these standard forms. (Please see note to Appendices C and D, page 32.)

Evanston, Illinois, has a form that the inspector fills out in duplicate. The original copy becomes the permanent record of a particular dwelling; the copy is used for statistical purposes. By punching out a variety of information it is possible to consolidate data on a number of units for statistical analyses. Evanston can determine, among other things, how many violations of a certain

<sup>5</sup>Franz J. Vidor, *A Record Control System for Housing Law Enforcement Activities* (Baltimore: Baltimore City Health Department, 1956), 205pp.



**Figure 5 – City of Evanston, Illinois, Housing Inspection Form**

**Figure 5 – City of Evanston, Illinois, Housing Inspection Form**



type have been discovered in any area of the city and how many inspections have been made by a given inspector (see Figure 5).

Oakland has developed two inspection forms. One is to be used for a complete housing inspection; the other for a partial survey to determine emergency hazards that need immediate correction.

Control Cards. Two types of controls are needed: control over pending cases, and a cross-reference file by owner's name.

It is necessary to insure that all cases involving violations are followed up. A simple system is to maintain a follow-up file of all violation notices by the date corrective action is to be completed. It may be necessary to provide cross referencing. Evanston files all data on each rooming house by the owner's name. The city also maintains a cross-reference card on each rooming house by location. This allows inspectors to review a particular file if given only the owner's name or the location.

Violation and Other Notices. Some method of giving formal notice of violations is necessary. A number of cities do this by letter. Frequently, several types of notices are needed to cover different situations: first notice to correct violations; notice to appear for a hearing; specific violation notices; reports of inspection; and so on. Oakland has developed a number of form letters which indicate the variety of situations that may require the sending of a notice:

1. Notice to correct violations determined from an inspection.
2. Notice to violators who have not taken corrective action, ordering immediate action, and setting a date for reinspection. The notice also states that if no action is taken, orders will be issued to have utility service discontinued. Used for emergency hazards only.
3. Notice to violators who have not taken corrective action on violations stating that unless the required work is done, appropriate action and proceedings to abate the condition will be taken.
4. A general notice to property owners in a specific area informing them that housing inspections will begin as of a certain date, and stating that a specific appointment can be made by contacting the inspector (name given).
5. Notice stating that previous attempts to make an inspection have failed; that the city ordinance authorizes the inspector to enter property within five days after notification by U. S. mail; that the department prefers to enter the property with the owner present; and that a responsible party please make arrangements to admit an inspector.
6. A letter of thanks to property owners who have voluntarily complied with standards.

Special Forms. Many cities have special requirements that require other types of reports and records. The most common is a license for rooming houses. Hartford has a special application and permit for the installation of moderate cooking facilities in rooming houses, and Cincinnati requires a special permit to alter existing dwellings for a toilet room.

One Other Consideration. In developing a housing record system, careful thought should be given to such existing records as building permits for alteration work, wrecking permits, and permits granted under fire prevention codes. Since most repairs and corrections made to existing dwellings need some type of permit, overlooking existing records may lead to duplication.

### An Inspection Plan

The effective enforcement of housing regulation depends upon a plan of inspecting existing dwellings. No city need inspect every dwelling; the problem is to attack the worst areas first. Procedures adopted will depend to some extent upon whether or not a city has a complete urban renewal program or whether it has only housing code enforcement.

Authority of Inspector. A basic decision is whether inspectors can issue compliance orders to violators on the spot. The surveys indicate that most corrective notices are sent from the office and are not given by inspectors in the field. This should not mean the inspectors do not have the authority but rather that administrative policy restricts such authority. Why? First, by having



orders sent from the office it is easier to maintain consistent policies as to requirements — i.e., time periods for correction and interpretation of borderline cases. Second, orders from the housing agency are more effective than field orders. Cincinnati reports that inspectors can issue compliance orders on the spot, but they have found that more success is obtained if the order is formally prepared in the office.

Determining Inspectional Areas. Cities should enforce regulations on a systematic basis. This calls for designating areas where code enforcement will be concentrated. The city with a renewal program will concentrate inspection in those areas officially designated for rehabilitation. House-to-house inspections will be made and over-all code enforcement will be coordinated with other rehabilitation plans for the area. In other areas of the city enforcement may be concentrated on multidwelling units or to investigating complaints.

Oakland, California, illustrates the difference between enforcement in areas designated for rehabilitation and other areas of the city. Inspectors in the rehabilitation section are assigned to a project area. Every structure is thoroughly inspected and required to meet standards. Any item of emergency must be corrected at once. A thorough public relations program is constructed to achieve more than just minimum requirements. The conservation section work load consists mainly of emergency hazard surveys.

Cities that do not have an official rehabilitation program may designate inspectional areas, but such areas may include both good and bad housing. Evanston, Illinois, provides an excellent example of a city that does not have a rehabilitation program although it does have effective housing code enforcement. The city is divided into three districts with an inspector assigned to each. The inspector is responsible for the enforcement of all housing regulations in his area. Specific sections of an area were selected for the beginning of a house-to-house survey by use of data from the 1950 census knowledge of the existing situation. The inspector cannot spend all his time making house-to-house inspections since other duties are assigned to him. However, over a four-year period Evanston has had a marked degree of success.

Team or Single Inspection. A number of cities, particularly in the early stages of an enforcement program, assign a group of inspectors to an area. Building, electrical, fire, plumbing, and health inspectors work together. This has several advantages: (1) each inspector is thoroughly familiar with his particular code requirements; (2) it provides a united attack; and (3) it is a device to coordinate related activities of different departments.

However, most cities use only a single inspector. The team approach has the great disadvantage of being wasteful of manpower — it ties up four or more men on one structure when each man might be making a separate inspection. Evanston changed from team inspection to the single inspector to conserve manpower.

The objection to the single inspector is that he cannot be an expert in all areas of code enforcement. The answer is, first, train; second, use of the single inspector does not preclude use of other inspectors when necessary. The single inspector can be trained to recognize and enforce the great majority of regulations. Cities such as Evanston, using single inspectors, call upon specialists when necessary. If the housing inspector needs assistance he requests it. On serious cases, such as those that might result in ordering a dwelling demolished, the use of other inspectors is important. In such cases it provides expert witnesses in case of court action.

Although much is in favor of using single inspectors there are cities that make frequent use of team inspections. These cities, such as Rochester, are frequently those that have not designated one agency to enforce housing regulations.

Follow-Up. An inspection program must provide for effective follow-up procedures to assure that violations are corrected. Most cities assign the area inspector the responsibility of following a case through to completion. The record system assists in assuring follow-up, and in many cases the administrator of the housing code is directly involved. But the inspector is the man that most easily can make sure that orders are complied with.

A few cities take exception to this practice. Portland, Maine, effectively states the case for not having inspectors follow up on all cases from initial inspection to compliance: "We have found



that one inspector may be better than the others on a nuisance complaint. Another inspector may be best at first inspections. Another at reinspections, and still another may be best dealing with human problems. For this reason the selection of the inspector is based upon his most effective usefulness to the division."

### Enforcement Techniques

The housing enforcement agency or agencies must have tools to obtain compliance. Most of these tools are legal in nature and therefore are based on state laws, court decisions, and city ordinances. The techniques of enforcement can be broken down into four major groups: (1) citizen education and cooperation, (2) administrative methods, (3) administrative hearings and court action, and (4) demolition.

### Citizen Education and Cooperation

As with all laws regulating human behavior, effective enforcement is made easier by citizen support. Because of this it is desirable to explain to the public the purposes of housing regulations and to work with specific interest groups. The MIS questionnaire showed that a number of cities have not attempted to develop an educational program.

There are, however, several cities that have actively engaged in public relations programs to assist in obtaining code compliance. Programs range from newspaper publicity to contacts with neighborhood improvement councils or associations. Several cities provide guides as to what can be done in the area of gaining citizen support.

Norfolk, Virginia. The city has actively worked with the Build Better Norfolk Committee of the local real estate board, various real estate organizations, the Norfolk Chamber of Commerce, civic clubs, and women's organizations in dispersing information on the program. In addition frequent radio talks are made and occasionally television addresses. In areas selected for enforcement a letter is distributed to the residents announcing the program.

Rochester, New York. Besides using public media for disseminating information, Rochester has actively worked with neighborhood groups in code enforcement. The city has been instrumental in several cases in helping to form a neighborhood group to assist in the program. Rochester reports that such groups act as "watchdogs" and report properties that may begin to fall back into disrepair after the inspectors have left the neighborhood.

Oakland, California. Oakland has an extensive program, including neighborhood group meetings, newspaper coverage, handout literature, and talks to civic organizations. One of the most interesting aspects is a three-part award program to property owners in rehabilitation areas. The program worked out in cooperation with the Oakland Renewal Foundation, Inc., a non-profit organization formed to assist in urban renewal, is described in the 1959-60 annual report of the building and housing department:

1. A Certificate of Occupancy is automatically given by the Building and Housing Department when all code violations have been corrected.
2. The housing Seal of Merit, gold mylar decal which can be affixed to wood or glass, along with a letter from Mayor Clifford Rishell, is awarded by the urban renewal representative to those property owners who have gone beyond the minimum requirements.
3. The Honor Award, also a gold mylar decal, is awarded by the Oakland Renewal Foundation. To be eligible, a property owner must first have received the Housing Seal of Merit. Selection is made by a committee composed of residents of the area who evaluate the property from a set of preconceived standards. The award is presented to the winners at a public meeting held in the area.

The foundation also is helpful in code enforcement in activities where the city cannot participate in — i.e., keeping a list of reliable contractors, giving out financial information, or just plain talking it over.

### Administrative Methods

The 1960 Year Book survey lists five types of actions taken by cities in enforcing code



provisions: (1) notice to correct; (2) placarding the building with a declaration of the violation; (3) ordering the building to be vacated for noncompliance; (4) placing the property in receivership to be operated by the city with rehabilitation costs to come from the property's income; and (5) initiating court action to obtain compliance. Only 13 of the 224 reporting cities have authority to take all five actions. Another 136 have authority to use all but receivership. Cities engaged in housing enforcement should provide for the use of as many tools as is legally possible.

Notice To Correct and Placarding. The first action is to send an order to correct the violation, with a follow-up notice if action is not obtained from the first notice. Most violators will make corrections without further action. If a notice and follow-up fail, a placard can be attached to the dwelling declaring the violation. A news item in the *Journal of Housing*, May, 1959, reported that in Allegheny County (Pittsburgh) this method was found to be successful because tenants refused to pay rent until standards had been met.

Vacation. Some 200 cities reported in the 1960 Year Book survey that authority exists to order a dwelling vacated if standards are not met. This procedure is effective because it cuts off rental income to the property owner. Placarding the dwelling as "closed" and "unsanitary" or "unsafe" often is done. When cities legally can take this action it is used for serious cases. Procedures vary but contain safeguards for the property owner. Saginaw, Michigan, procedures illustrate the steps taken:

1. At the expiration of the original notice, a second letter is sent to the owner requesting him to appear at the Housing Inspector's office to show cause why the correction has not been made.
2. At this point, if a good reason is given, the original expiration time is extended.
3. If at the end of the extended period no indication is given that corrections are being made, a third letter is sent to the owner requiring him to vacate and board the structure within a reasonable time.
4. If at the end of this period the building has not been vacated or corrective action taken the case is referred to the city attorney for further action or prosecution.

Receivership. Few cities (13 out of 224) use this device although it is effective against owners of rental properties. Receivership allows the city to make or have made necessary repairs and it provides a means to the city of financing the work. By appointing receivers to manage the property, by court action, the rental income is then used for financing the repairs. Chicago, Illinois, was one of the first cities to use this system as early as 1955.

Other Possible Tools. Various other devices have been used. Oakland, in hazard cases, can order utility services discontinued, and it also can file a notice of "substandard" dwellings with the recorder of deeds. Chicago has published a mayor's list of slum properties, complete with address and owner, which is made available to fire insurance underwriters and mortgage bankers.

#### Administrative Hearings and Court Action

The 20 cities responding to the MIS questionnaire indicated that court action was the last resort, and not necessary in most cases. For example, Cincinnati reported that in 1959 it was necessary to resort to court action only 38 times out of 2,817 corrective orders; Evanston only three times out of 2,184 orders. Jackson, Michigan, reported that although it was necessary to initiate court action in 55 out of 110 demolition cases, only eight cases had to be carried through to a formal court order.

A number of cities have appeals boards. If a property owner feels that he has been aggrieved by an order he may appeal it to the board. The board then can reverse, affirm, or modify the order. This helps avoid lengthy court action.

Evanston follows a typical procedure in deciding whether or not a case should be taken to court. A semiformal hearing is held in the office of the city attorney. Only after the hearing is a case taken to court.

Wayne, Michigan, has worked out a procedure that stresses compliance, not fines. A complaint



ticket is issued to the violator ordering him to appear before the municipal judge. The judge does not fine or sentence anyone until correction has been approved by the building department. The judge informs the defendant, with building department approval, to appear before him at a certain time, along with the building official. At the time the case is decided. If the defendant fails to appear a warrant for his arrest is issued.

Housing Court: Baltimore. Some cities complained that court action, when necessary, is often slow. This is primarily because courts often have heavy dockets, and housing cases frequently are placed at the end of the list.

To correct this condition, and to give emphasis to housing cases, Baltimore established a separate housing court that handles only cases involving housing violations. Such a step has merit when court action is frequent; however, most cities, as indicated, do not seem to have to resort to frequent court action. White Plains and Mount Vernon, New York, have not established a separate court, but have designated specific days of the week for housing violation cases to be heard by the court.

### Demolition

Cities are faced, at times, with buildings that are unsafe and should be torn down. Authority to order demolition of an unsafe building varies, depending on state and local laws. The *1958 Municipal Year Book*, pp. 314-22, contains a special section on this method of enforcing building standards, and the *1960 Year Book* contains additional information in the section on housing codes referred to earlier.

The data show two basic factors. First, the 1960 data indicate that legal authority to order demolition is found in a variety of codes: out of 223 reporting cities, 13 cities use a special demolition ordinance; 51, the building code; 15 the housing code; and 143 cities use a combination of two or more codes. Secondly, the 1958 data indicate who can start demolition proceedings: out of 211 cities reporting, an administrative order is sufficient in 129 cities; city council action in 64 cities; and a court order in 18 cities.

Traditionally the power to demolish a structure has been limited to unsafe structures; those presenting fire hazards or near collapse. Saginaw, Michigan, policies follow this traditional approach. Authority to demolish is contained in the general ordinances of the city. The procedure requires that a hearing be held by the city manager before action is taken. He may then order the building demolished and if the city has to do the work, the cost automatically becomes a lien. However, since a building that is substandard and has been vacated is in conformity with the housing code, only structurally unsafe buildings can be demolished.

This procedure can often result in leaving a blighted building standing. It protects the public, but often does not result in removing an eyesore that contributes to slum conditions. To combat this problem some cities, such as Greenville, South Carolina, provide in their housing code that a substandard building shall be ordered demolished if repairs exceed a certain percentage of value. This procedure was upheld by a North Dakota case, *Soderfelt v. Drayton* (79 N.D. 742, 59 N.W. 2d 502 (1953)).

The Greenville type ordinance attacks the problem directly, but still a problem can exist. Even though a structure may be brought up to standards, it may be below that of surrounding properties. To combat this problem it has been suggested that different standards be developed for different areas (zones). There is a grave question whether the courts would hold such laws constitutional.<sup>6</sup>

When a city exercises its power of condemnation, careful planning and investigation should be used. The property owner of course has an appeal to the courts. But more important is the fact that the city is taking property and should be sure of its grounds. Thus use of team inspection in this type of case is justified. Every violation, particularly those marking the building structurally unsafe or an extreme fire hazard, should be documented by experts.

<sup>6</sup>*Municipal Housing Codes in the Courts*, (New York: American Council To Improve Our Neighborhoods, September, 1956), p. 14.



### Special Problems

The city engaged in an aggressive program of enforcing housing standards should be prepared to meet a number of problems. These problems frequently are the headaches of code enforcement and are not easily solved. The recognition and the development of policies before the problem arises can make the code administrator's job easier.

### Financing Repairs

Cities have reported that one of the problems that arises is financing repairs. First, there are owner-occupants who just do not have the means of financing repairs. Second, there is the person who rents dwelling units in the home he lives in, and such rent is his only income. Third, money is often not obtainable because of the nature of the neighborhood. Lending institutions do not consider the property valuable because of its environment.

There are several approaches to solving the problem. First is gaining interest of conventional financial institutions. This can be done through a public relations program with banking, real estate, and savings and loan associations. If a citizen group exists, such as the Oakland Renewal Foundation, it can assist people in obtaining a loan.

Second, a plan should be developed for a neighborhood if environmental conditions discourage loans. The administrator of rehabilitation and conservation in Cleveland, Ohio, pointed out, in an article entitled "How to Make Rehabilitation Financing Easier to Get," (*Journal of Housing*, May, 1959, p. 165), that in order to attract investors the neighborhood must be cohesive so the people can pull together for action.

Third, the city should qualify for loans granted under Section 220 of the 1954 housing act. This section provides FHA assistance for improvements in areas designated for rehabilitation.

Fourth, the 1954 Act under Section 221 provides FHA assistance to home owners affected by governmental regulation or construction action outside of a designated urban renewal area. It has largely been used in the South to build new homes. The program has not been extensively used in the North because construction costs are usually too high for inclusion in the program which has a mortgage ceiling of \$9,000 or \$10,000. However, one important aspect of the 221 program has largely been overlooked — the use of 221 loans to rehabilitate a small apartment to bring it up to standards.<sup>7</sup> (See the discussion below under "Relocation" for further use of the 221 program.)

Fifth is the creation of a private citizen group to lend money. As earlier as 1951, bankers, realtors, and businessmen organized a Fight-Blight Fund to lend money to owner-occupants of houses which were in violation of housing regulations. This type of group can lend money in cases that do not qualify under other more conventional programs.

Finally, most cities will face the real hardship cases. Cities usually take a lenient attitude towards the owner-occupant, giving as much time as possible to correct violations.

### Relocation

The MIS survey asked: "Does housing code enforcement cause problems in relocation of persons displaced from dwellings; if so what actions can solve the problem?"

Cities conducting programs under the 1954 housing act must provide assistance to peoples displaced by rehabilitation or redevelopment programs. Such assistance usually involves the city (1) in helping people find new dwellings within their financial means, and (2) providing public housing.

Several cities reported that besides assisting in relocating people or providing public housing, steps were taken to qualify to participate under section 221 of the housing act. This program provides for new homes for persons displaced by governmental action.

<sup>7</sup>E. Franklin Daniels, opening statement at a Clinic on Residential Rehabilitation under Section 220 and 221 of the National Housing Act, April 30, 1959. A copy of the proceedings may be obtained from the American Council to Improve Our Neighborhoods (Box 462, Radio City Station, New York 20) at \$1 per copy.



The program in West Palm Beach, Florida, illustrates the effective use of this aid. In March, 1959 the mayor called a meeting of city councilmen, interested contractors, citizens, and officials of the city engineering department to arrange for participation in the 221 program. The city qualified for participation and from March, 1959, to March, 1960, 119 persons received assistance under the program and are now living in new homes. This represented 61.3 per cent of all those applying for aid.

Jackson, Michigan, reported that a vigorous program of enforcement was hampered by a lack of standard relocation resources. The city qualified under the 221 program and has established an assistance program for low-income families in the renewal area. The city agreed as a condition to the execution of a loan and grant contract with the federal government to assist displaced persons in an amount not to exceed \$50,000. The maximum amount of assistance available to any family not able to find standard housing within their financial means is the difference between 25 per cent of the gross family income and the cost of renting a private existing or relocated standard housing unit. Assistance is for the period the family lives in the house, and for those periods in which 25 per cent of the family income is less than the rental rate. No assistance shall be extended beyond a five-year period.

### Hidden Ownership

Cities sometimes are faced with the job of determining ownership of buildings. This occurs because owners set up "false owners" and frequently "sell" the property — that is, pass ownership around among friends. When orders are issued to make repairs, the supposed owner is not the owner, and compliance is difficult to obtain. The answer lies in detective work to uncover the true owner and citing all persons who appear to be owners, if legally possible. Usually threat of action against the "known owner" will lead to discovery of the true owner.

### Rooming House Licenses

One of the special problems of housing regulation enforcement is the rooming house. A number of people are using common facilities, such as washrooms, and overcrowding is frequent. The rooming house can easily become a tenement. The procedure adopted by a number of cities is to license all rooming houses (and hotels in some ordinances) that house two, three, four, or more roomers who pay rent and are not members of the immediate family. Special standards applicable to this type of dwelling are enacted covering toilet facilities; method of operation, such as requiring clean bed linen once a week; cooking facilities; and so on.

The basic purpose of licensing is control. Licensing will result in most operators declaring themselves since they must have a license to operate legally. It provides a listing of all such dwellings which makes inspection easier. Licenses should be issued annually and only after an inspection has revealed that all housing regulations are met. Some cities, such as Chicago, require licenses from any dwelling that has two or more units.

Evanston has a number of rooming houses because of Northwestern University being located in the city. When it adopted its housing code in 1956, it also provided that all rooming houses shall be licensed. Evanston's first endeavor was to inspect all these dwellings and bring them into compliance. Today, rooming house inspection is concentrated in the last months of the year because licenses are renewable on a calendar year basis. Following the yearly inspection, the inspector gives the operator a certificate of compliance which enables him to obtain a license at the city collector's office. If the inspector notes any violation, a reasonable period of time (30 or 60 days) is granted to make corrections, and the necessary follow-up inspection is made.

Once the licensing procedure is established there is need to flush out those operators who do not obtain a license. This can be done by the inspector if he is assigned a district. He can spot the illegal operators. Also house-to-house inspection will uncover some violators. Finally, tips from utility service men, welfare workers, public health nurses, and other sources help in locating illegal operators.

One of the problems that Evanston has faced in enforcing the licensing provision is the statement that everyone in the house is a relative, not a renter. The city has a form that they ask the



owner to sign which certifies that rooms are not being rented and the people in the dwelling are relatives. This procedure has helped in locating a number of illegal, overcrowded units.

### Enforcement of Regulations in Areas Slated for Redevelopment

In cities that have slated areas for redevelopment or rehabilitation but are still working on basic plans, the problem of strictly enforcing housing standards arises. Most cities reported that the most serious conditions are ordered corrected in such areas and that expensive repairs are discouraged if a building will eventually be demolished.

The Norfolk, Virginia, plan is typical. Housing surveys are not made in areas officially announced for redevelopment. Major sanitary violations are enforced by the district sanitarian. Major hazards may require an order to vacate although the building may not be immediately acquired by the redevelopment authority.

Rochester, New York, takes the opposite view: "Despite the fact that an area may be scheduled for redevelopment, the owner of properties is expected to keep his property up to minimum standards. . . . Such items, though, as exterior painting are not required since there would provide an unreasonable hardship on the owner."

### Problem Family

There are people that for one reason or another will not maintain sanitary living conditions, no matter what the condition of the structure is. Such people are obvious contributors to slum conditions. As the section on housing codes points out, regulations frequently cover tenant responsibility for housekeeping functions. The number of such individuals is statistically a small percentage. But since such people are usually very low wage earners, on relief, or poverty stricken, they live in the areas of the poorest housing, aggravating an already bad situation.

Twelve of the 20 cities responding to the MIS questionnaire reported that problem families are helped or dealt with as best as possible. Four cities illustrate what can be done.

Oakland, California. Oakland enforces the tenant responsibility provision of the housing code. The city reports a reasonable amount of success in enforcement but that the increasing number of such cases and the necessity to instigate court action on each becomes a time-consuming task. The city is developing a procedure to cite these violators to a hearing before the prosecuting attorney who will be able to levy a predetermined fine.

Kalamazoo, Michigan. Kalamazoo detailed a public health nurse to the rehabilitation area in 1956. During the four-year period of 1956 to 1960 many families have been assisted and now do not present a problem. The city's director of inspectors stated: "Those people whose recalcitrant nature defies improvement have been made known to social agencies and with the resultant lack of aid they have been forced to start helping themselves. . . ."

Evanston, Illinois. Evanston cites such people to a hearing before the corporation counsel. Such a hearing often impresses the person and he complies; if not, he is prosecuted in municipal court. Another device is a notice that is posted threatening to close the dwelling if it is not kept in sanitary condition. This often gains compliance. Evanston officials feel that only the very worst people want it advertised that they do not keep their dwelling clean.

Portland, Maine. Portland has established a problem family committee composed of the city manager, health director, welfare director, court worker, child guidance officer, juvenile officer, nursing director, and housing supervisor. The committee attempts to provide aid to the family from as many sources as possible. In its first year of operation (1957) it was able to help families with a variety of problems by coordinating social services for these people.

### Lease Arguments on Tenant Responsibility

Sometimes tenants knowingly or unknowingly sign a lease or rental agreement which places responsibility on them for certain maintenance functions. When a corrective order is sent to the owner he pleads "not responsible," and the tenant also denies he has responsibility.



The city inspector often does not have to enter into determining who is responsible but can send orders to both owner and occupant. If action is not taken, cite them both to a hearing (if such a procedure is legally possible) at which time responsibility can be fixed. The important factor is that each city should be prepared to face this attempt to evade the regulations.

Inspectors should, however, be versed in the problems of tenant responsibility leases or agreements. The Evanston senior inspector states that there are times immediate action is necessary because other tenants of the building are being affected.

### Initiating Housing Regulation Enforcement Program

Cities that now have programs are continually in search of better methods to administer housing regulations. Perhaps ideas and procedures mentioned will assist them in improving their programs. But the city official who contemplates a program may wonder where to begin. A brief listing of the factors and steps he should take are set forth as a guide and also as a review of this report.

### The Code

1. Study Existing Codes. In developing a set of housing regulations applicable to existing housing, all related codes — building, zoning, plumbing and so on — should be reviewed. All provisions affecting existing housing should be carefully noted as to their content and possible relationship to new standards.

2. Develop Standards. Provisions affecting existing housing should include standards covering (1) facilities and equipment, (2) maintenance, and (3) conditions of occupancy. Tenant *and* owner responsibilities should be specific. These and other requirements should be placed in a separate housing code in most instances; there may be some cities, because of local conditions, that will desire to expand existing codes.

Standards should be realistic, determined by knowledge of the average condition of homes and dwellings in the city. To determine standards, copies of model codes should be studied and basic data gathered about local conditions. Data can be obtained from census reports, research of building and health departments, and spot surveys.

3. Administrative Provision. The housing code should clearly designate responsibility for enforcement, set forth enforcement procedure, and protect the rights of individuals. This report does not discuss legal problems, but the wording of these provisions can be important in case of a court test. The right of inspection, particularly, should be spelled out, limiting it to reasonable times, and some type of appeal procedure should be provided. For a discussion of some of the legal problems see *Municipal Housing Codes in the Courts* (New York: American Council to Improve Our Neighborhoods, September, 1956), 21pp.; and Robert F. Allnutt and Gerald J. Mossinghoff, "Housing and Health Inspection: A Survey and Suggestions in Light of Recent Case Law," *The George Washington Law Review*, January, 1960, pp. 421-53.

### Organization

1. Application. In assignment of enforcement responsibilities thought must be given to the housing problem of the city. Does the city have areas in need of an over-all approach — rehabilitation — or is the task one of conservation? If a rehabilitation program is needed, the organizational structure should facilitate coordination of housing regulation enforcement and other related plans.

2. Existing Organization. The existing organization should be studied to see if any department is in a position to assume this task. In this regard the skills of persons in the department should be considered and the knowledge of the local situation that they possess. In large cities thought should be given to a department that could enforce all codes affecting housing and carry out urban renewal projects.

### Administration and Enforcement

1. Personnel. Where possible it is desirable to build the nucleus of the inspection force from



existing personnel, their knowledge of the city and experience will be helpful in training completely new personnel.

2. Training. No city that enters this field can afford not to provide training to inspectors. Very few people will be hired that initially have knowledge of both structural and health aspects of housing. Public relations training also is vital.

3. Records. A system of records should be developed that provides information on each dwelling inspected, data on types of violations, coordination with related activities and internal control.

4. Enforcement Plan. A system of inspection must be developed to (1) designate responsibility and authority of inspectors, (2) provide for systematic inspections, and (3) provide for control of special types of dwellings such as rooming houses.

5. Citizen Support. Most cities will find it not only desirable but essential to muster citizen support — not only general support but also support of specific groups, such as realtors and neighborhood residents.

6. Special Problems. No city will be able to foresee all problems that will arise; but it should, as much as possible, be prepared to meet them. All the problems listed (financing repairs; relocation of displaced persons; hidden ownership; enforcement of regulations in areas slated for redevelopment; problem family; and lease arrangements) will not be faced by each city. The exact solution will vary, but effective enforcement demands that the city be prepared to solve problems as they arise.

### The Future

The future of housing code administration must be viewed in light of the total housing problem. It is known now that housing codes are but one tool in assuring decent housing. Any regulations that affect so many in an area of personal concern are bound to undergo changes in the future.

Cities that have effective housing code enforcement are reviewing their operations. On July 30, 1960, the *Cincinnati Enquirer* ran a story headlined: "City Plans to Reorganize Urban Renewal Set-Up." The story stated that the budget division and the personnel department had proposed that a department of urban renewal should be created which would include the division of buildings (now department of safety) and save some \$65,000. City Manager C. A. Harrell, announced that he favored the plan except for switching the building division. He felt it was not the proper *time* for this change. Nevertheless this story seems to indicate the direction that enforcement will take — one part of an over-all coordinated and continuing plan of insuring good housing.

*Acknowledgments:* Management Information Service wishes to thank the many city officials who supplied detailed information on housing code enforcement. Special thanks are due to William Hixon, housing superintendent, Evanston, Illinois, who gave his time generously for a lengthy personal interview.

*Note:* This report was prepared by William E. Besuden, staff member, the International City Managers' Association.



## Appendix A

## LIST OF ORGANIZATIONS PUBLISHING MODEL CODES

(For specific editions of codes and supplements, see the current *Municipal Year Book* section on "Selected Model Ordinances" under headings of "Building," "Housing," and "Plumbing.")

Building Codes

1. *Southern Standard Building Code*. Southern Building Code Congress, Brown-Marx Building, Birmingham, Alabama.
  2. *National Building Code*. National Board of Fire Underwriters, 85 John Street, New York 38.
  3. *American Standard Safety Code for Building Construction*. American Standards Association, 70 East 45th Street, New York 17.
  4. *Uniform Building Code*. International Conference of Building Officials, 610 South Broadway, Los Angeles 14.
- Basic Building Code*. Building Officials Conference of America, Inc., 1525 East 53rd Street, Chicago 15.

Plumbing Codes

1. *Report of the Coordinating Committee for a National Plumbing Code*. U. S. Department of Commerce, National Production Authority, Washington 25, D. C.
2. *American Standard National Plumbing Code*. (ASA A40.8-1955). The American Society of Mechanical Engineers, 29 West 39th Street, New York 18.
3. *Southern Standard Building Code* (Part III, Plumbing). Southern Building Code Congress, Brown-Marx Building, Birmingham, Alabama.

Electrical Codes

1. *National Electrical Code*. National Board of Fire Underwriters, 85 John Street, New York 38.

Housing Codes

1. *A Proposed Housing Ordinance*. American Public Health Association, 1790 Broadway, New York 19.
2. *Minimum Housing Ordinance*. Tennessee State Planning Commission, Cordell Hull Building, Nashville 3.
3. *Uniform Housing Code*. International Conference of Building Officials, 610 South Broadway, Los Angeles 14.
4. *Minimum Housing Code*. Alabama State Planning and Industrial Development Board, Montgomery.

Gas Codes

1. *Gas Piping and Gas Appliances in Building* (NBFU No. 54). National Board of Fire Underwriters, 85 John Street, New York 38.
2. *Southern Standard Building Code*. (Part II, Gas). Southern Building Code Conference, Brown-Marx Building, Birmingham, Alabama.
3. *American Standard Gas Code*. American Standards Association, 70 East 45 Street, New York 17.



## Appendix B

## TRAINING PROGRAM FOR HOUSING INSPECTORS, OAKLAND, CALIFORNIA

Below is a condensed outline of the material covered in the five-week course given urban renewal representatives (housing inspectors) in Oakland, California. (The full outline is available on loan).

Objectives

1. The first objective of the course is to develop a spirit of cooperation among inspectors with fellow co-workers and employees of other departments.
2. The second objective is to facilitate the used and development of efficient internal operations. This includes reasonable and clear procedures; definite lines of authority and responsibility; and good intra- and inter-divisional communications.
3. A third objective is to develop a public relations consciousness on the part of inspectors in regard to personal contacts, telephone contacts, newspaper publicity, and city family relations.
4. The final objective is to obtain good enforcement. This includes an understanding of legal functions of the Oakland, California, Urban Renewal Department; knowledge of all applicable codes; careful follow-up on survey inspections and complaints; and the desire to do a good job and to be a help to the property owner.

Course Content

1. Organization. Covers organization of city government and functions of each department and how they are related to urban renewal. Also a thorough study of the organization of the urban renewal department is undertaken, considering such subjects as functions, relationships between divisions of the urban renewal department, and relations with other departments.
2. Communications. This includes communications between representatives of the same division or different divisions and communication with personnel and supervisors in other departments. City policies and procedures are carefully explained. For instance direct communication between personnel of the urban renewal department and that of other city departments is encouraged.
3. Enforcement Sequence. The sequence of action in enforcing housing regulations is carefully explained. This covers getting ready for the inspection, such as determining whether other departments made an inspection of the dwelling, and keeping all records to date.
4. Handling Complaints. Includes complaints against a condition or complaints against an employee.
5. Handling Violations. Emphasis is placed on obtaining compliance, not administering punishment. Covers attitude toward violators, means of discovering violations, processing notices of violation, and related subjects.
6. New Methods and Products. It is emphasized that new processes and new methods are being used consistently and that inspectors should learn about them and be able to evaluate them for their effect upon code provisions and inspection.
7. Preparation of Cases for Enforcement. Includes reasons for codes and laws which are to be enforced and the inspector's role in the process.
8. Public Attitudes Toward Enforcement. Compares the difference between crimes of violence and violators of such laws as housing codes; the tools of investigation such as notebooks and photographic equipment; and the art of interrogation.
9. Effective Letter-Writing and Telephone Technique.

10. Public Relations. Stresses that the foundation for good public relations is an efficient housing program. Specific ways to obtain good public relations are discussed.
11. Administration and Standards. Codes discussed are housing code, building code, plumbing code, heating and electrical code, zoning laws, and fire prevention code.
12. Specific Projects. The rehabilitation program is discussed and background information is given on such subjects as city and county taxes and citizens' committees.



## Appendix C

## AMERICAN PUBLIC HEALTH ASSOCIATION STANDARD INSPECTION FORM

Assignment

Serial No. S \_\_\_\_\_

No. \_\_\_\_\_

## STRUCTURE SCHEDULE

Address \_\_\_\_\_ District No. \_\_\_\_\_ Block No. \_\_\_\_\_ Structure No. \_\_\_\_\_

Owner or Agent \_\_\_\_\_ Not Available for Occupancy ☐

S1 NUMBER OF UNITS	Total	Vacant	S10 STAIRS AND FIRE ESCAPES (for two-story tenements and all structures of three or more stories)	
Dwelling units	—	—	<input type="checkbox"/> Item Not Applicable	Front Stairway
Rooming units	—	—		None <input type="checkbox"/>
Business units	—	—		Yes <input type="checkbox"/> No <input type="checkbox"/>
	Total	Nonres.	Free from obstruction . . . . .	Rear Stairway
S2 NUMBER OF STORIES	—	—		None <input type="checkbox"/>
	Wood	Other	Clear egress at ground level . . . . .	Yes <input type="checkbox"/> No <input type="checkbox"/>
S3 EXTERIOR WALLS	<input type="checkbox"/>	<input type="checkbox"/>	Fireproof construction throughout . . . . .	Yes <input type="checkbox"/> No <input type="checkbox"/>
	Attached	Detached	Free from vertical ladders above first story . . . . .	Yes <input type="checkbox"/> No <input type="checkbox"/>
S4 STRUCTURE TYPE	<input type="checkbox"/>	<input type="checkbox"/>		Outside Fire Escapes
S5 NUMBER OF TOILETS AND BATHS	Toilets	Baths		None <input type="checkbox"/>
	Yes	No	S11 PUBLIC HALL LIGHTING	Yes <input type="checkbox"/> No <input type="checkbox"/>
S6 LIVING UNIT IN BASEMENT	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> No Public Hall	No Yes Ext.
	Street	Rear Yard	Daytime lighting deficient	None Part All
S7 MAIN ACCESS	<input type="checkbox"/>	<input type="checkbox"/>	Halls lacking light fixtures	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
	Public	Private	S12 DETERIORATION INDEX	Deg. 0 1 2
S8 WATER SUPPLY	<input type="checkbox"/>	<input type="checkbox"/>	Inside Stairs	
	Public	Private	Steps deteriorated	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
S9 SEWER CONNECTION	<input type="checkbox"/>	<input type="checkbox"/>	Rails deteriorated	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
	Public	Private	Public Hall Walls, Ceilings	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
SUPPLEMENTARY APPRAISAL			Hole or surface worn	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
S8a WATER SUPPLY	Yes	No	Surface broken or loose	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
Nonpublic water supply acceptable to Health Dept.	<input type="checkbox"/>	<input type="checkbox"/>	Public Hall or Porch Floors	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
S9a SEWER CONNECTION	Yes	No	Hole or surface worn	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
Nonpublic sewage disposal acceptable to Health Dept.	<input type="checkbox"/>	<input type="checkbox"/>	Surface broken or loose	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
S16a DAYLIGHT OBSTRUCTION			S13 INFESTATION INDEX	Not Evid. Reptd. Obsvd.
	This Str.	Adjacent Structure	Rats in structure or yard	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
	No. of Windows	Height in Stories	Other vermin	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
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	nj			

## AMERICAN PUBLIC HEALTH ASSOCIATION STANDARD INSPECTION FORM

Serial No. U\_\_\_\_\_

Inspection No. \_\_\_\_\_ Address \_\_\_\_\_ District No. \_\_\_\_\_ Block No. \_\_\_\_\_ Structure No. \_\_\_\_\_  
Floor \_\_\_\_\_ Part of Floor \_\_\_\_\_ Unit No. \_\_\_\_\_ Vacant ☐

Form DS-2: Copyright 1944, Committee on the Hygiene of Housing, American Public Health Association



*Note to Appendices C and D:* The American Public Health Association cautions that "the successful use of the Appraisal Method depends upon suitable training of those who may be planning to use it. Use by trained personnel is also desirable so that experiences, reasonably comparable, can be pooled in revising the document. The American Public Health Association has entered into an agreement with the U. S. Public Health Service whereby the Service offers training course in the use of the Method, free of charge, and the Association agrees that permission to use the Method will be granted to those who have had training at the USPHS Training School or at a comparable school conducted by someone properly qualified. Anyone desiring further information about training should communicate with the Training Branch, Communicable Disease Center, U. S. Public Health Service, Atlanta, Georgia."

#### Further Sources of Information

1. Committee on the Hygiene of Housing, American Public Health Association *An Appraisal Method for Measuring the Quality of Housing* (New York: The Association, 1945). Part I. "Nature and Uses of the Method," 71pp., Part II. "Appraisal of Dwelling Conditions," 3 Vol., "Appraisal of Neighborhood Environment," 132pp.
2. Franz J. Vidor, *A Record System for Housing Law Enforcement Activities* (Baltimore: Baltimore City Health Department, 1956), 205pp.
3. Robert M. Uster, *Municipal Housing Codes In the Courts* (New York: American Council To Improve Our Neighborhoods, September, 1956), 21pp.
4. Robert F. Allnutt and Gerald I. Mossinghoff, "Housing and Health Inspection: A Survey and Suggestions In Light of Recent Case Law," *The George Washington Law Review*, January, 1960, pp. 421-453.
5. Gilbert E. Morris, *Conservation, A New Concept in Building Law Enforcement* (Los Angeles: Department of Building and Safety, 1958), 247pp.
6. John F. McCarty, *Local Regulation of Housing Conditions in California* (Berkeley: Bureau of Public Administration, University of California, 1958), 54pp.
7. The New York State Division of Housing, *Housing Codes: The Key to Housing Conservation* (New York: The Division, 1958), Vol. 1, "Code Enforcement Problems and Recommendations," 72pp.; Vol. 2, "Minimum Housing Standards," 79pp.; Vol. 3, "Administrative Guide for Local Programs," 34pp.
8. Martin Millspough and Gurney Breckenfeld, *The Human Side of Urban Renewal* (Baltimore: Fight-Blight, Inc., 1958), 233pp.
9. Model Codes listed in Appendix A and selected codes of cities on loan from MIS.
10. International City Managers' Association, *The Municipal Year Book* (Chicago: The Association, annually). See the following: housing demolition, 1958, pp. 314-22; urban renewal, pp. 324-39; and housing codes, 1960, pp. 318-28.